

III. Remarks

The status of the claims is set forth in the above listing of the claims. Claims 1-25, 27, 44-45, and 48 have been canceled without prejudice, and claims 26, 28-43, 46-47, and 49-50 remain pending in the present application. In the Office Action, claims 36-43 and 46 were rejected under 35 U.S.C. § 101 as being directed toward non-statutory subject matter; claims 26, 28-32, 34-43, 46, 47, 49, and 50 were rejected under 35 U.S.C. § 103 as unpatentable over U.S. Pat. No. 2003/0115366 to Robinson (*Robinson*) in view of U.S. Pat. No. 6,510,429 to Todd (*Todd*); and claim 33 was rejected under 35 U.S.C. § 103 as unpatentable over *Robinson* in view of *Todd* and U.S. Pat. Pub. No. 2001/0047385 to Tuatini (*Tuatini*). Although the Applicant respectfully disagrees with the rejections and objections outlined in the Office Action, claims 26, 36, and 47 were amended to expedite the allowance of the present application.

IV. Arguments

1. 35 U.S.C. § 101 Rejections

Claims 36-43 and 46 were rejected under 35 U.S.C. § 101 because they are directed to a “machine readable medium” and because the specification allegedly describes the term “machine-readable medium” as including “carrier wave signals”.¹ The Applicant respectfully disagrees with this rejection and submits that, as discussed in the Response to Non-Final Office Action dated April 17, 2009, “in a previous amendment to the specification, the phrase ‘carrier wave signals’ was removed from paragraph 51.”² Thus, the Applicant requests that the rejection under 35 U.S.C. § 101 is withdrawn.

¹ See, *Office Action*, p. 3.

² See, *Response to Non-Final Office Action* dated April 17, 2009, p. 11; see also, *Amendment in Response to Final Office Action and Request for Continued Examination* dated September 23, 2008, p. 2-3.

2. 35 U.S.C. § 103 Rejections

Independent claims 26, 36, and 47 were rejected as allegedly unpatentable over *Robinson* in view of *Todd*. Although the Applicant respectfully disagrees with this rejection, independent claims 26, 36, and 47 were amended in the interest of expediting the allowance of the claims. Independent claim 26, as amended, recites, “processing, **on a parallel path**, the message according to a second messaging paradigm, wherein the processing the message according to a second messaging paradigm comprises routing the message to at least one bridged destination associated with the at least one original destination.” The Applicant respectfully submits that neither *Robinson* nor *Todd* teaches a system, method, or machine-readable medium which allows a message to be processed **on parallel paths** by both a first messaging paradigm and a second messaging paradigm.

Robinson teaches a method for delivering message data in which the message “may be delivered and/or retrieved from [a] topic **or** [a] queue.”³ The message is sent “to **one** of a queue and a topic,” but not to both.⁴ Thus, the message is not processed on parallel paths as required by amended claim 26.

Similarly, *Todd* teaches a message broker apparatus for receiving messages from a sender in which the message may either be processed in a synchronous mode or an asynchronous mode.⁵ In the synchronous mode, the message is sent to a relational message broker who bypasses the queue and sends the message to the subscriber.⁶ In asynchronous mode, the message is sent to one destination. Thus, in asynchronous mode, the message is not processed on parallel paths as required by amended claim 26.

In the asynchronous mode, the message is sent to the queue manager, then the relational message broker, then back to the queue manager, and then to a queue subscriber.⁷ The message

³ See, *Robinson* Para. 15.

⁴ *Id.*

⁵ See, *Todd* Fig. 1 and Col. 5 and 6.

⁶ *Id.* at Col. 5, lines 57-65.

⁷ *Id.* at Col. 5, lines 45-56.

is processed in series from the sender, to the queue manager, to the relational message broker, back to the queue manager, and then to a queue subscriber. Thus, in asynchronous mode, the message is not processed **on parallel paths** to an original destination and to a bridged destination as required by amended claim 26.

The Applicant has similarly amended independent claims 36 and 47 to further emphasize this operability. For at least the above reasons, the Applicant respectfully submits that independent claims 26, 37, and 47 are patentable over *Robinson* in view of *Todd*. Claims 28-35, 37-43, 46, and 49-50 depend on one of independent claims 26, 36, and 47. Since these claims further limit a patentably distinct independent claim, the dependent claims are allowable on that basis as well as based on the additional patentably distinct limitations that they provide.

For at least the above reasons, the Applicant respectfully submits that the present application is in condition for allowance.

V. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that this application is in condition for allowance. If any additional fees are required to complete this filing, or if an overpayment has occurred, the Commissioner is authorized to charge or credit such amount to Deposit Account No. 13-0480, referencing Attorney Docket No. TIB-015. The examiner is invited to contact the undersigned attorney of record if such would expedite the prosecution of this application.

Respectfully submitted,

Serial No. 10/687,951
Attorney Docket No. TIB-015

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Date: February 16, 2010